

WEDNESDAY, FEBRUARY 11, 1987

SIXTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Reverend Boyd Roberts, Pastor, Grace Baptist Church, Sparta, Tennessee.

Representative Hillis led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 91

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--91.

The Speaker announced that Representative Kisber was excused because of business.

The Speaker announced that Representative Bushing was excused because of Metro Planning Commission.

The Speaker announced that Representative Webb was excused because of business commitment.

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The Speaker announced that Representative Davis (Knox) was excused because of a Trade Seminar.

The Speaker announced that Representative Burnett was excused because of a prior commitment.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

32--Relative to commemorating Lincoln County's Homecoming '86 festivities;

33--Relative to honoring Worth Sports Company;

34--Relative to congratulating Dr. Stanley Cohen;

35--Relative to memory, Mary and Harry Zimmerman;

39--Relative to Miss Molly B. Brown, Miss Tennessee USA;

40--Relative to commending Jackson Fire Department;

41--Relative to congratulating Manchester Homecoming '86 Steering Committee;

42--Relative to honoring Jess Rogers and Universal Machining Company;

43--Relative to honoring McMinnville Screw Machine Company, Inc.;

44--Relative to honoring Richard Y. Stamps;

45--Relative to honoring Cumberland Lumber and Manufacturing Company, Inc.;

47--Relative to memory, Mrs. Maude Tucker Taylor;

48--Relative to honoring McMinnville Cheese Corporation;

51--Relative to "Hazardous Materials Management Professionals Week";

52--Relative to Soviet Union grant exit visas to Aleksandr and Galina Blinov;

54--Relative to congratulating Mr. and Mrs. William Hamilton Reid;

55--Relative to expressing sorrow, death of Mary Catherine Strobel;

56--Relative to congratulating Holston Middle School;

58--Relative to honoring Guilford "Gif" Fletcher Thornton, Jr.;

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59--Relative to congratulating Coach Don Grider and South Pittsburg High School football team;

60--Relative to congratulating Head Coach Ken Colquette and Marion County High School football team;

61--Relative to honoring former Representative Steve Cobb; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

CONSENT CALENDAR

House Resolution No. 4--Honoring Pamela D. Mathews.

House Joint Resolution No. 32--Honoring George Huffman Peeler.

House Joint Resolution No. 33--Honoring Henry Vaughn.

House Joint Resolution No. 34--Honoring Pete Pino.

House Joint Resolution No. 35--Honoring Martha Lawler.

House Joint Resolution No. 36--Commending William H. Roden.

House Joint Resolution No. 37--Congratulating Gilbert Rhodes.

House Resolution No. 5--Honoring Coach Sam Anderson.

House Joint Resolution No. 38--Congratulating Clinch River Coal Terminal.

House Joint Resolution No. 39--Congratulating Black Oak Elementary School.

Senate Joint Resolution No. 50--97th Birthday, Martha Croft.

Senate Joint Resolution No. 57--Appreciation, Gerald G. Reed.

Mr. Phillips moved that all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	92
Noes	0
Present and not voting	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain,

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Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--92.

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Mr. Rhinehart, House Bill No. 65 was recalled from the Committee on Finance, Ways and Means.

On motion of Mr. Rhinehart, House Bill No. 65 was withdrawn from the House.

On motion of Mr. Rhinehart, House Bill No. 70 was recalled from the Committee on Finance, Ways and Means.

On motion of Mr. Rhinehart, House Bill No. 70 was withdrawn from the House.

On motion of Ms. Hassell, House Bill No. 203 was recalled from the Committee on Transportation.

On motion of Ms. Hassell, House Bill No. 203 was withdrawn from the House.

SENATE JOINT RESOLUTIONS

Senate Joint Resolution No. 32--Commemorating Lincoln County's Homecoming '86 festivities.

Under the rules, Senate Joint Resolution No. 32 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 33--Honoring Worth Sports Company.

Under the rules, Senate Joint Resolution No. 33 was referred to the Committee on Calendar and Rules.

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Senate Joint Resolution No. 34--Congratulating Dr. Stanley Cohen.

Under the rules, Senate Joint Resolution No. 34 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 35--Memory, Mary and Harry Zimmerman.

Under the rules, Senate Joint Resolution No. 35 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No.39--Relative to Miss Molly B. Brown, Miss Tennessee, USA.

Under the rules, Senate Joint Resolution No. 39 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 40--Commending Jackson Fire Department.

Under the rules, Senate Joint Resolution No. 40 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 41--Congratulating Manchester Homecoming '86 Steering Committee.

Under the rules, Senate Joint Resolution No. 41 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 42--Honoring Jess Rogers and Universal Machining Company, Inc.

Under the rules, Senate Joint Resolution No. 42 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 43--Honoring McMinnville Screw Machine Company, Inc.

Under the rules, Senate Joint Resolution No. 43 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 44--Honoring Richard Y. Stamps.

Under the rules, Senate Joint Resolution No. 44 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 45--Honoring Cumberland Lumber and Manufacturing Company.

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Under the rules, Senate Joint Resolution No. 45 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 47--Memory, Mrs. Maude Tucker Taylor.

Under the rules, Senate Joint Resolution No. 47 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 48--Honoring McMinnville Cheese Corporation.

Under the rules, Senate Joint Resolution No. 48 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 54--Congratulating Mr. and Mrs. William Hamilton Reid.

Under the rules, Senate Joint Resolution No. 54 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 55--Expressing sorrow, death of Mary Catherine Strobel.

Under the rules, Senate Joint Resolution No. 55 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 56--Congratulating Holston Middle School.

Under the rules, Senate Joint Resolution No. 56 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 58--Honoring Guilford "Gif" Fletcher Thornton, Jr.

Under the rules, Senate Joint Resolution No. 58 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 59--Congratulating Coach Don Grider and South Pittsburg H.S. football team.

Under the rules, Senate Joint Resolution No. 59 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 60--Congratulating Head Coach, Ken Colquette and Marion County H.S. football team.

Under the rules, Senate Joint Resolution No. 60 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 61--Honoring former Representative Steve Cobb.

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Under the rules, Senate Joint Resolution No. 61 was referred to the Committee on Calendar and Rules.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 51--"Hazardous Materials Management Professionals Week".

Under the rules, Senate Joint Resolution No. 51 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 52--Soviet Union grant exit visas to Aleksandr and Galina Blinov.

Under the rules, Senate Joint Resolution No. 52 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 423--Pharmacies and pharmacists--By Rhinehart.

Passed first consideration.

House Bill No. 424--Model College Access Literacy Program--By Drew.

Passed first consideration.

House Bill No. 425--Children and youth--By DeBerry.

Passed first consideration.

House Bill No. 426--Create Institute of Traditional Culture, TSU--By Love.

Passed first consideration.

House Bill No. 427--Five million dollars, TSU--By Love.

Passed first consideration.

House Bill No. 428--Fire code, homes for the aged--By West.

Passed first consideration.

House Bill No. 429--Middle Tennessee Zoo--By West.

Passed first consideration.

House Bill No. 430--Dues deduction, fire departments--By West.

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Passed first consideration.

House Bill No. 431--Airport noise abatement programs--By West.

Passed first consideration.

House Bill No. 432--Consumption of alcoholic beverages on premises--By Napier.

Passed first consideration.

House Bill No. 433--Injuries, railroad employees--By Whitson and Collier.

Passed first consideration.

House Bill No. 434--Issuance of marriage license--By Robinson (Davidson).

Passed first consideration.

House Bill No. 435--Create tax planning division--By Robinson (Davidson).

Passed first consideration.

House Bill No. 436--Liability for injuring of a dog--By Wood.

Passed first consideration.

House Bill No. 437--Insurance Guaranty Association Act--By Wood.

Passed first consideration.

House Bill No. 438--Felony, aiding suicide--By Wood.

Passed first consideration.

House Bill No. 439--Creditable service retirement system--By Bewley.

Passed first consideration.

House Bill No. 440--Annexation municipality--By May.

Passed first consideration.

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House Bill No. 441--Annexation municipality--By May.

Passed first consideration.

House Bill No. 442--Pass and Play Act--By May, Chiles, Peroulas, Henry and Holcomb.

Passed first consideration.

House Bill No. 443--Criminal Victim's Rights Act--By Long, Wolfe, Love, Pruitt, Garrett, Robinson (Davidson), Bushing and West.

Passed first consideration.

House Bill No. 444--Health facilities--By Rhinehart, Naifeh, May and Lawson.

Passed first consideration.

House Bill No. 445--Purchasing in Sequatchie County--By Rhinehart.

Passed first consideration.

House Bill No. 446--Sign, Tennessee Walking Horse Association Headquarters--By Phillips.

Passed first consideration.

House Bill No. 447--Joint custody minor children--By Burnett, Scruggs and Yelton.

Passed first consideration.

House Bill No. 448--Burials--By Rhinehart.

Passed first consideration.

House Bill No. 449--Home School testing--By Bivens.

Passed first consideration.

House Bill No. 450--Longevity for state employees--By Ivy.

Passed first consideration.

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House Bill No. 451--Telephone or telegraph fraud--By Yelton, Severance, Hawkins, Webb, Robinson (Washington), Moody, Scruggs, Wheeler, Whitson, Holcomb, Swann, Bewley, Good, Huskey, Davis (Cocke), Wood, Montgomery, Cross, Bivens and Turner (Hamilton).

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 365--School term.

Passed second consideration and referred to Committee on Education.

House Bill No. 366--Renewal teaching certificates.

Passed second consideration and referred to Committee on Education.

House Bill No. 367--Arrest of teachers.

Passed second consideration and referred to Committee on Education.

House Bill No. 368--Non-tenured teachers.

Passed second consideration and referred to Committee on Education.

House Bill No. 369--Jefferson Street Bridge.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 370--Low income affordable housing.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 371--Bonds, affordable housing.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 372--Architects and engineers.

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Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 373--County judges and officials retirement.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 374--Rights police officers.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 375--Practice of psychology.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 376--Time-Share Act.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 377--Missing children.

Passed second consideration and referred to Committee on Education.

House Bill No. 378--Motor vehicle lighting regulation.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 379--Higher education.

Passed second consideration and referred to Committee on Education.

House Bill No. 380--Rights Education employees.

Passed second consideration and referred to Committee on Education.

House Bill No. 381--Balanced Treatment Science Act.

Passed second consideration and referred to Committee on Education.

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House Bill No. 382--Teaching certain subjects.

Passed second consideration and referred to Committee on Education.

House Bill No. 383--Rural Water Energy Act.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 384--Polling places.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 385--Collection service act.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 386--Fluorescent orange - hunting.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 387--Dyersburg Community College.

Passed second consideration and referred to Committee on Education.

House Bill No. 388--Public TV station funding.

Passed second consideration and referred to Committee on Education.

House Bill No. 389--Secure lien transactions.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 390--Brand changes, beer manufacturer.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 391--Wildlife resources commission.

Passed second consideration and referred to Committee on Conservation and Environment.

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House Bill No. 392--Practice of law.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 393--Bad debts.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 394--Valid certificate of acknowledgement.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 395--Binding arbitration.

Passed second consideration and referred to Committee on Education.

House Bill No. 396--Excise Tax Law.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 397--Speech pathologists.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 398--Speech pathologists.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 399--Solid waste disposal.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 400--Permit applications, solid waste disposal.

Passed second consideration and referred to Committee on State and Local Government.

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House Bill No. 401--Uniform funding public education.

Passed second consideration and referred to Committee on Education.

House Bill No. 402--Open Space Land Act.

Passed second consideration and referred to Committee on Agriculture.

House Bill No. 403--Pre-manufactured homes.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 404--Classification of roads.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 405--Mechanic's liens.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 406--State employees reduction.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 407--Career state employees.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 408--Compensation county officers.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 409--Certain clerk fees.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 410--Tax relief.

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Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 411--Fees, clerks of courts.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 412--Litigation tax.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 413--Teaching sex education.

Passed second consideration and referred to Committee on Education.

House Bill No. 414--Limit certain textbooks.

Passed second consideration and referred to Committee on Education.

House Bill No. 415--Food service employees.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 416--State veterans cemeteries.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 417--Natural Areas Preservation Act.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 418--Department of Correction.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 419--Sentencing Commission.

Passed second consideration and referred to Committee on Judiciary.

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House Bill No. 420--Sales tax farm implements.

Passed second consideration and referred to Committee on Agriculture.

House Bill No. 421--Retirement, local government service.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 422--Military service creditable.

Passed second consideration and referred to Committee on Finance, Ways and Means.

REPORTS OF STANDING COMMITTEES

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 36, 37, 46, 50, 53 and 54.

KING, Chairman.

Under the rules, House Bills Nos. 36, 37, 46, 50, 53 and 54 were transmitted to the Committee on Calendar and Rules.

LABOR AND CONSUMER AFFAIRS

MR. SPEAKER: Your Committee on Labor and Consumer Affairs begs leave to report that we have carefully considered and recommend for passage: House Bill No. 63.

ELLIS, Chairman.

Under the rules, House Bill No. 63 was transmitted to the Committee on Calendar and Rules.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 13, 60 (with amendments), 62 and 165 and further recommend that pursuant to House Rule No. 72, House Bills Nos. 13 and 165 be referred to the Committee on Finance, Ways and Means.

MILLER, Chairman.

Under the rules, House Bills Nos. 60 (with amendments) and 62 were transmitted to the Committee on Calendar and Rules.

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Pursuant to House Rule No. 72, the Speaker referred House Bills Nos. 13 and 165 to the Committee on Finance, Ways and Means.

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Bill No. 201 and House Joint Resolution No. 2 and further recommend that pursuant to House Rule No. 72, House Bill No. 201 be referred to the Committee on Finance, Ways and Means.

ROBINSON (Davidson), Chairman.

Under the rules, House Joint Resolution No. 2 was transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 72, the Speaker referred House Bill No. 201 to the Committee on Finance, Ways and Means.

SECOND ROLL CALL

The roll call was taken with the following results:

Present 94

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--94.

BILLS RE-REFERRED

On motion of Mr. Ivy, House Bill No. 165 was recalled from the Committee on Finance, Ways and Means.

On motion of Mr. Ivy, House Bill No. 165 was referred to the Committee on Calendar and Rules.

On motion of Mr. Long, House Bill No. 132 was recalled from the Committee on Judiciary.

On motion of Mr. Long, House Bill No. 132 was referred to the Committee on Labor and Consumer Affairs.

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SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1--May

House Bill No. 7--Turner (Hamilton)

House Bill No. 24--Chiles

House Bill No. 94--Bell, Ussery, Davidson and Head

House Bill No. 99--Tankersley

House Bill No. 398--Turner (Hamilton)

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Thursday, February 12, 1987: Senate Joint Resolutions Nos. 32, 33, 34, 35, 39, 40, 41, 42, 43, 44, 45, 47, 48, 54, 55, 56, 58, 59, 60 and 61.

PHILLIPS, Chairman.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolutions Nos. 32, 33, 34, 35, 36, 37, 38 and 39; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

On motion of Mr. Naifeh the House adjourned until 9:30 a.m. tomorrow.